

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:20 CV 213 MR WCM

KATHERINE DROLETT,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
ANTHONY BRIAN ROBINSON,)	
ONESPA WORLD RESORT SPAS (NORTH)	
CAROLINA), INC. <i>doing business as</i>)	
Mandara Spa,)	
)	
Defendants.)	
)	

This matter is before the Court on Plaintiff's Motion for Leave to Amend Complaint (the "Motion to Amend," Doc. 46).

On August 5, 2020, Plaintiff filed her original complaint in this action against defendants Anthony Brian Robinson ("Robinson") and OneSpaWorld Resort Spas (North Carolina), Inc. doing business as Mandara Spa ("OneSpaWorld"). Doc. 1. Therein, Plaintiff alleged that this Court had federal subject matter jurisdiction pursuant to 28 U.S.C. §1332. Doc. 1 at ¶4. With respect to citizenship, Plaintiff alleged that she is a citizen of Georgia, Robinson is a citizen of North Carolina, and OneSpaWorld is a citizen of Florida. Doc. 1 at ¶¶1-4.

On July 9, 2021, Plaintiff filed the Motion to Amend, by which Plaintiff seeks leave to file an Amended Complaint which adds allegations and claims against Robinson and OneSpaWorld, as well as claims against a new defendant, Steiner Management Services, LLC (“Steiner”). Doc. 47-1.¹

With respect to the citizenship of Steiner, Plaintiff’s proposed Amended Complaint provides that “Steiner Management Services, LLC...is a limited liability company organized under the laws of Florida and headquartered in Coral Gables, Florida.” Doc. 47-1, at ¶3.

For purposes of diversity jurisdiction, the citizenship of a limited liability company “is determined by the citizenship of all of its members.” Cent. W. Va. Energy Co., Inc. v. Mountain State Carbon, LLC, 636 F.3d 101, 103 (4th Cir. 2011). When members are LLCs themselves, the citizenship issues must be traced through until one reaches only individuals and/or corporations. See Jennings v. HCR ManorCare, Inc., 901 F.Supp.2d 649, 651 (D.S.C. 2012) (“an LLC’s members’ citizenship must be traced through however many layers of members there may be”).

¹ The proposed Amended Complaint and other associated materials have been filed under seal provisionally. The sealing of those documents is the subject of a separate Order.

“The burden of establishing subject matter jurisdiction is on...the party asserting jurisdiction.” Robb Evans & Assoc., LLC v. Holibaugh, 609 F.3d 359, 362 (4th Cir. 2010).

Here, the record does not reveal the identity or citizenship of the constituent members of Steiner – information that is required for the undersigned to consider the Motion to Amend fully.

IT IS THEREFORE ORDERED that, on or before **August 6, 2021**, Plaintiff shall file a Notice setting forth the citizenship particulars of Steiner Management Services, LLC.

Signed: July 23, 2021

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

